

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TIA PARADIS,

Plaintiff,

v.

ORDER

DAN NICHOLS, RICH DAVIDSON, GARY KNEISL,
MARC LETENDRE, MATT BROWN, CITY OF
SUPERIOR, and DOUGLAS COUNTY,

16-cv-225-bbc¹

Defendants.

Plaintiff Tia Paradis is suing Douglas County, the City of Superior, and several employees of the Douglas County Jail for their alleged failure to provide appropriate medical treatment for Paradis's frostbite while she was incarcerated at the jail. Now before the court is a motion filed by Unity Health Plans Insurance Corporation to intervene in the case. Dkt. 24. Unity says that it has a subrogation interest because it paid medical expenses on Paradis's behalf for some of the injuries she sustained.

None of the parties oppose Unity's motion and I conclude that Unity has a right to intervene under Rule 24 of the Federal Rules of Civil Procedure. "[I]f an insured brings suit against a tortfeasor, the insurer who is partially subrogated may intervene in the action to protect its pro rata share of the potential recovery." *Krueger v. Cartwright*, 996 F.2d 928, 932 (7th Cir. 1993). Accordingly, I will grant Unity's motion.

¹ Because Judge Crabb is on medical leave, I am issuing this order to prevent an undue delay in the progress of the case.

ORDER

IT IS ORDERED that the motion to intervene filed by defendant Unity Health Plans Insurance Corporation, Dkt. 24, is GRANTED.

Entered February 2, 2017.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge